

CUMBERLAND FEMALE COLLEGE OF McMINNVILLE, TENN.

FEBRUARY 2, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. GIBSON, from the Committee on War Claims, submitted the following

REPORT.

[To accompany S. 1623.]

The Committee on War Claims, to whom was referred the bill (S. 1623) for the relief of the Cumberland Female College of McMinnville, Tenn., report that they concur in the conclusions embodied in the report of the Senate Committee on Claims of the present Congress, a copy thereof being hereto attached as part of this report, and recommend the passage of the bill.

[Senate Report No. 886, Fifty-fourth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1623) for the relief of Cumberland Female College of McMinnville, Tenn., have carefully considered the same, and submit the following report thereon:

There have been several favorable reports upon this case made by the Committee on War Claims of the House of Representatives and by this committee in former Congresses. In the Fifty-second Congress the House committee recommended the payment of \$7,500 in satisfaction of the claim, and a bill to that effect was there passed. When it came to the Senate this committee recommended that the amount be reduced to \$2,500, and the House bill thus amended was passed. The House refused to concur in this amendment, and the difference was adjusted by a committee of conference on the disagreeing votes of the two Houses, and their report was as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2122) for the relief of Cumberland Female College of McMinnville, Tenn., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments and agree to an amendment, as follows: Strike out all after the word "appropriated," in line 6, and insert in lieu thereof the following: "The sum of \$5,000 for use and occupation of the college buildings and premises as a hospital during the years 1862, 1863, 1864, and 1865 by the military authorities of the United States, and the same to be accepted and received for in full of all claims of the said Cumberland Female College against the United States;" and the House agree to the same.

JOHN W. DANIEL,
S. PASCO,
W. A. PEFFER,
Managers on part of Senate.
B. A. ENLOE,
W. J. STONE,
JOHN C. HOUK,
Managers on part of the House.

This report was adopted by the two Houses and was signed by the presiding officers and was sent to the President for his approval, but it did not reach him till the last day of the session and within an hour or less of the final adjournment, when

a large number of bills were awaiting consideration and action. Those of a public nature and of greater general importance had the preference, and when the last moment came the bill had not even been considered by the President, and was still unsigned.

The original claim was for \$10,000, and included claims for damage and injury to the buildings, furniture, and apparatus of the Cumberland Female College of McMinnville, Tenn., while the property was in the hands of the officers of the Union Army during the late war, as well as for the use and occupation of the buildings as a military hospital, and for other army purposes. The committee in its action has recognized the claim for the said use and occupation, and for any part of the property that was taken, disposed of, or consumed for army purposes, but has followed the course pursued in other and similar cases in rejecting all claims for damage, destruction, or injury for which the Government has not held itself liable.

The two Houses having recognized the claim to be just by their action in the past, the main question in the case is the amount that should be allowed. The sum of \$5,000 named in the bill was fixed by a conference between the two Houses, and, although it is larger than the amount recommended by the committee at the time, it was less than the amount the Houses had approved of upon the passage of the bill there. Both Houses subsequently accepted this settlement, and the committee are not in favor of reopening the question as to the sum to be paid in settlement of the claim.

As the bill is drawn it appears to recognize a claim for injury and damage to the property, and it is recommended that it be amended to conform to the views herein expressed as to the claims which are regarded and treated as valid.

The proposed amendments are as follows:

In line 6, after the word "occupation," strike out "damage and destruction" and insert "and consumption."

Insert after the word "property," in the same line, "for hospital and other army purposes."

In lines 11 and 12 strike out all after the word "States" to the end of the sentence. And when thus amended it is recommended that the bill do pass.